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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/828,754	04/21/2004	Joseph Patrick Salanitro	TH1006 05

CONFIRMATION NO. 5342

FORMALITIES LETTER



OC000000013401439

Y. Grace Tsang
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Legal- Intellectual Property
P.O. Box 2463
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Date Mailed: 08/02/2004

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)). Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

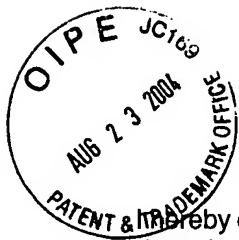
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*A copy of this notice **MUST** be returned with the reply.*

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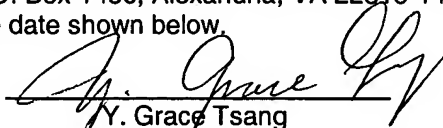
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT
TH1006-05 (US)
YGT:EM

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on or before the date shown below.


Y. Grace Tsang
Date: August 20, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
)
JOSEPH P. SALANITRO, PAUL C. JOHNSON,)
STEPHEN M. STEARNS, PAUL M. MANER,)
JAMES H. MILLER and GERARD E. SPINLER)
)
Serial No. 10/828,754)
)
Filed April 21, 2004)
)
IN SITU METHOD AND APPARATUS FOR)
BIODEGRADATION OF ALKYL ETHERS AND)
TERTIARY BUTYL ALCOHOL)
_____)

Group Art Unit: 1724

Examiner: Christopher Upton

August 20, 2004

COMMISSIONER FOR PATENTS
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ATTN: MAIL STOP MISSING PARTS

Sir:

RESPONSE

In response to the Notice of Incomplete Nonprovisional Application filed under 37 CFR 1.53(b) mailed August 2, 2004, Applicants hereby submit copies of drawings filed (i) on April 14, 2000, in the original patent application having Application Number 09/549,981 (Shell Case No. TH1006) and again (ii) on November 25, 2002, in the copending divisional application Serial Number 10/303,632 (Shell Case No. TH1006 03).

Copies of the originally filed declaration were submitted on April 21, 2004, with the application Serial Number 10/825,754 (Shell Case No. TH1006 05). According to

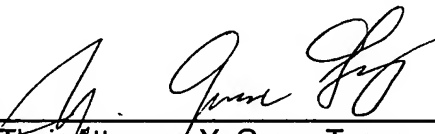
Mr. Preston Wallace of your office, the requirement of a newly executed oath or declaration by your Office should be ignored. A fresh copy of the originally filed declaration is hereby resubmitted for your reference.

Applicants submit that the drawings are not necessary for according the filing date of April 21, 2004, because the drawings were originally submitted in the parent application (Shell Case No. TH1006) as well as the copending divisional application filed November 25, 2002 (Shell Case No. TH1006 03). The omission of copies of the drawings is only due to an unintentional clerical error.

Applicants are also filing a petition to the Office of Petitions today for petition that the drawings were not necessary for the filing date of April 21, 2004 because they are already on file in the U.S.P.T.O. with parent application (TH1006) and the copending application (TH1006 03).

Respectfully submitted,

JOSEPH P. SALANITRO, PAUL C. JOHNSON,
STEPHEN M. STEARNS, PAUL M. MANER,
JAMES H. MILLER and GERARD E. SPINNLER

By 
Their Attorney, Y. Grace Tsang
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Attachments

- (1) Copies of drawings Figures 1-7 originally filed on April 14, 2000
- (2) Copies of the Application and Declaration filed April 21, 2004 and originally filed on April 14, 2000
- (3) A copy of the Notice of Incomplete Nonprovisional Application mailed August 2, 2004